

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 28 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 01 1996 under 62118

The applicant Brady Power Partners, hereby make application for permission to change the Point of Diversion of water heretofore appropriated under 57287

1. The source of water is underground - geothermal
2. The amount of water to be changed 5.0 cfs 3620 afa
3. The water to be used for industrial and domestic (geothermal power)
4. The water heretofore permitted for industrial and domestic (geothermal power)
5. The water is to be diverted at the following point well 27-1, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T22N, R26E, at a point from which the SW corner Section 1 bears S 49° 53' 30" W 1119.0'.
6. The existing permitted point of diversion is located within proposed production well 38A-1, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T22N, R26E, 1970' E of W line, 600' N of S line, Section 1, having a bearing approximately S 49° 00' E, 920' from the S $\frac{1}{4}$ corner Section 1, location unsurveyed.
7. Proposed place of use Brady Power Partners Geothermal Power Plant, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T22N, R26E, MDB&M.
8. Existing place of use Brady Power Partners Geothermal Power Plant, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T22N, R26E, MDB&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works existing well, pipeline and plant.
12. Estimated cost of works unknown, wellfield and wells in excess of \$10 million.
13. Estimated time required to construct works none, existing production well 27-1 and pipeline to plant and to injection wells.
14. Estimated time required to complete the application of water to beneficial use none, well is currently in use under permit 62118.
15. Remarks: This permit will be tied to existing permits for the project which limit total withdrawal from all wells to 19,572 afa and total consumptive use to 4,276 afa.

By s/Missy Payne Missy Payne, Agent
c/o GDA, 251 Ralston Street
Reno, NV 89506

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the geothermal fluid heretofore granted under Permit 57287 is issued subject to the terms and conditions imposed in said Permit 57287 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The production and injection wells are to be cemented from the producing levels to the surface to protect fresh water zones. This temporary permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the duration of this temporary permit. This report must detail the amount of fluid produced, injected and delivered to Gilroy Foods, Inc.

The total combined withdrawal of the geothermal fluid under Permits 57238, Certificate 15024; 57239, 57240, 57241, 57243, Certificate 15025; 57245, Certificate 15174; 57286, 57288, 57289, Certificate 15026; 57295, 57296, 57297, Certificate 15027; 60930, Certificate 15028; 60931, Certificate 15029; 64485, 65024-T, 65025-T, 65026-T, 65027-T and 65028-T shall be limited to 19,572.0 acre-feet per year but the total combined consumptive use of the geothermal fluid under the above referenced permits shall be limited to 4,276.0 acre-feet per year.

The State Engineer does not waive the right to make a determination of incidental fluid losses at any time and impose additional conditions thereto. This temporary permit is further issued subject to the provisions of NRS 533.372 (1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

This permit is further issued subject to the agreements executed by and between Gilroy Foods, Inc. and Brady Hot Springs Geothermal Associates dated December 18, 1987; Gilroy Foods, Inc. and Nevada Geothermal Power Partners, Limited Partnership dated February 1, 1991; and the State Engineer's Ruling 3894 dated June 26, 1992.

This permit is issued with the understanding that the Monitoring Plan, which is Exhibit A of the Stipulation between Brady Power Partners and Gilroy Foods, Inc. dated June 21, 1996, will continue to be implemented. Any modification of this monitoring plan must be submitted and approved by the State Engineer.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 29, 2001

Proof of completion of work shall be filed before:

July 29, 2001

Application of water to beneficial use shall be filed on or before:

June 29, 2004

Proof of the application of water to beneficial use shall be filed on or before:

July 29, 2004

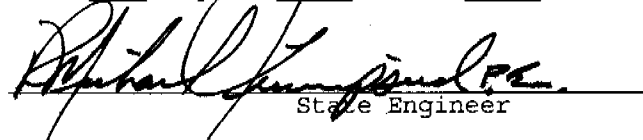
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 6th day of July, A.D. 1999


State Engineer

Completion of work filed JUN 24 1999

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: Port 65026-T 0.64